IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

-

WRIT PETITION NO : 13279 of 1994

Between:

M.A. Lateef S/o M.A. Wahab
R/o 8-2-269/A, Banjara Hills,
Hyderabad

..... PETITIONER

AND

1. Union of India rep. by Secretary
   Ministry of Finance, New Delhi
2 Government of Andhra Pradesh
rep. by Principal Secretary, Department
of Finance & Planning, Secretariat Building,
   Hyderabad
3 M.A. Razaak S/o gulam Mehabub
   Occ: Business, R/o Tandur, Ranga Reddy District

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ, Order or direction more particularly in the nature of Writ of Mandamus to declare that the provisions of Sec.138 proviso 'C' and Sec.139 of the Negotiable Instrument Act is unconstitutional null and void, arbitrary, ultra-virus to the provisions of powers of Govt. and also inconsistent with the criminal jurisprudence and the unconstitutional right given to the petitioner.

Counsel for the Petitioner: MR.P.V.UMASHANKARA RAO

Counsel for the Respondent No.2: GP FOR FINANCE & PLANNING

Counsel for the Respondent No.3: Mr.K.Raghuveer Reddy

The Court made the following:

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O R D E R:

The Constitutional validity of the provisions of Section 138 and 139 of the Negotiable Instruments Act, 1881 has already been upheld by this Court. The writ petition deserves dismissal and the same is accordingly dismissed without any order as to costs.

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B.SUDERSHAN REDDY, J.

Dated:25-11-2004

GS/PV

To

1. The Secretary, Union of India,
Ministry of Finance, New Delhi
2 Principal Secretary, Government
of Andhra Pradesh, Department
of Finance & Planning, Secretariat Building,
Hyderabad

3. 2CCs to the G.P. for Finance and Planning,
High Court of A.P., Hyderabad (OUT)

4. 2CD copies